

# Notice of Allowability

Application No.

09/717,820

Examiner

St. John Courtenay III

Applicant(s)

HEIDINGSFELD ET AL.

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment received May 26, 2004.
2. ☒ The allowed claim(s) is/are 1, 3 and 4 now renumbered 1-3.
3. ☒ The drawings filed on 21 November 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
St. John Courtenay III  
Primary Examiner  
Art Unit: 2126

Application/Control Number:  
09/717,820  
Art Unit: 2126

Page 2

### **EXAMINER'S AMENDMENT**

An Examiner's Amendment to the record appears below.  
Authorization for this Examiner's Amendment was received by  
telephone (201-487-5800) from Robert Gorman, attorney of  
record, on June 21, 2004.

#### **The application has been amended as follows:**

In the claims:

#### **Claim 1:**

The period has been deleted and the following text has been  
inserted after the last line of claim 1:

--- , wherein the dynamic data is updated without requiring the  
installment of additional software on a user's target computer. ---

#### **Claim 2 has been cancelled.**

Should the changes and/or additions be unacceptable to  
Applicant, an amendment may be filed as provided by 37 C.F.R.  
§1.312.



ST. JOHN COURTENAY III  
PRIMARY EXAMINER

Application/Control Number:  
09/717,820  
Art Unit: 2126

Page 3

### **Examiner's Statement of Reasons for Allowance**

The claims are deemed allowable for at least the following reasons:

The closest prior art of record (Patent Application Publication US 2002/0055878) teaches a method for continuously updating a user access device display without refreshing an entire active web page [see page 2, paragraph 0018]. The '878 Patent Application Publication claims the benefit of the filing dates of the following four provisional applications, pursuant to the requirements set forth under 35 U.S.C. § 119(e):

60/191,359 filed on March 22, 2000

60/191,205 filed on March 22, 2000

60/245,503 filed on Nov. 3, 2000

60/245,826 filed on Nov. 3, 2000

The Examiner has reviewed the contents of all four provisional applications for enabling support of the later filed utility application, Ser. No. 09/815,451, now U.S. Patent Application Publication US 2002/0055878.

Provisional application 60/191,205, filed on March 22, 2000, provides enabling support for the disclosed "push" method which relies upon a hidden frame that contains a page with the refresh set to a certain interval. This hidden page invokes a server script that updates the data contained in the visible page dynamically. When the data changes, a client script will run on the page and update the selected information in the visible frame without the appearance of a reload.


However, the method supported by provisional application 60/191,205 teaches away from the instant invention as now claimed (after entry of the Examiner's amendment), as the aforementioned "push" method requires the operation of server side script and a client side script.

In contrast, the instant invention updates the dynamic data without requiring the installation of additional software on a user's target computer.

Application/Control Number:  
09/717,820  
Art Unit: 2126

Page 4

Any comments considered necessary by Applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably accompany the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."



ST. JOHN COURTENAY III  
PRIMARY EXAMINER

BEST AVAILABLE COPY

Application/Control Number:  
09/717,820  
Art Unit: 2126

Page 5

### **How to Contact the Examiner:**

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to St. John Courtenay III, J.D., M.B.A., whose voice telephone number is **(703) 308-5217**. A voice mail service is also available at this number. Normal Flex work schedule: M – F 7:30 AM - 4:00 PM

- **All responses sent by U.S. Mail should be mailed to:**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

---

### **Patent Customers advised to FAX communications to the USPTO**

**<http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/faxnotice.pdf>**

**Effective Oct. 15, 2003, ALL patent application correspondence transmitted by FAX must be directed to the new PTO central FAX number:**

**NEW PTO CENTRAL FAX NUMBER:  
703-872-9306**


- 
- Any inquiry of a general nature or relating to the status of this application should be directed to the **TC 2100 Group receptionist: (703) 305-3900**.

**Please direct inquiries regarding fees, paper matching, and other issues not involving the Examiner to:**

**Technical Center 2100 CUSTOMER SERVICE: 703 306-5631**

The Manual of Patent Examining Procedure (MPEP) is available online at:  
**<http://www.uspto.gov/web/offices/pac/mpep/index.html>**

**BEST AVAILABLE COPY**

  
**ST. JOHN COURTENAY III  
PRIMARY EXAMINER**